

Docket: 445102

REMARKS

Reconsideration in view of the foregoing amendments and the following remarks is, and entry of this paper is respectfully requested. Moreover, the Applicants have reviewed the Final Office Action of February 17, 2005, and submit that this paper is responsive to all points raised therein.

STATUS OF THE CLAIMS

Claims 38-56 and 62-67 are presently pending. Claims 38, 40-45, 48, 50-54, 62, 64, 65 and 67 have been amended. Claims 1-37 and 57-61 have been cancelled, these cancellations are made without prejudice.

In making the aforementioned cancellation without prejudice of claims 1-37 and 57-61, the applicants reserve all rights in these claims to file Divisional and/or Continuation patent applications.

Claims 38, 40-45, 48, 50-54, 62, 64, 65 and 67 have been amended editorially for grammar and/or punctuation. It is respectfully asserted that these amendments are directed to formalities only and are not substantive.

ALLOWABLE SUBJECT MATTER

The applicants note the allowance of claims 38-56 and 62-67, at Paragraph 5 of the Final Office Action.

The applicants also note the Examiner's allowance of claims 2-4, 11-14, 23-25 and 29-32, as objected to, as being dependent on rejected base claims. Objected to claims 2-4 have been rewritten as presently pending and allowed claims 62-64, while objected to claims 23-25 have been rewritten as presently pending and allowed claims 65-67.

REJECTIONS UNDER 35 USC 102

Claims 1, 5-10, 15-22, 26-28, 33-37, and what is believed to be claims 57-61 (as per Paragraphs 2 and 5 of the Final Office Action were rejected under 35 USC 102(e) as anticipated by Song, et al. (U.S. Patent No. 6,748,297) (Song '297).

Docket: 445102

Claims 1-37 and 57-62 have been cancelled, as detailed above. Accordingly, this rejection is now moot. In making the aforementioned cancellation, applicants do not accept or acquiesce to this rejection, but are moving allowed claims 38-56 and 62-67 forward towards a speedy Notice of Allowance and Issue.

In the rejection at Paragraph 4 of the Office Action, references are made to claims 38 and 48 (second subparagraph of Paragraph 4), claims 46 and 55 (ninth subparagraph of Paragraph 4), claims 47 and 56 (tenth subparagraph of Paragraph 4), claims 39 and 49 (twelfth subparagraph of Paragraph 4), claim 40 (thirteenth subparagraph of Paragraph 4), claims 41, 42, 50 and 51 (fourteenth subparagraph of Paragraph 4), claims 43-45, 52 and 53 (fifteenth subparagraph of Paragraph 4), and claim 54 (sixteenth subparagraph of Paragraph 4).

In view of the allowance of claims 38-56 and 62-67 at Paragraph 5 of the Final Office Action and the Indication of allowed claims in the first page of the "Office Action Summary", at the section "Disposition of Claims", the checked box "5" indicating claims 38-67 have been allowed, it is respectfully asserted that these rejections are erroneous and made in error. Accordingly, it is respectfully requested that the Examiner indicate that these subparagraphs or portions thereof with any of the above mentioned claims are incorrect, and correct the record to limit any rejections under 35 USC 102(e) in view of U.S. Patent No. 6,748,297 to Song, et al. to claims 1, 5-10, 15-22, 26-28, 33-37 and 57-61.

Should the Examiner have any questions or comments as to the form, content, or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Entry of this paper and allowance of all pending claims, 38-56 and 62-67, is respectfully requested.

A Petition for one month's extension of time is submitted herewith, along with authorization to charge the required fee to Deposit Account No. 12-0600. Applicants

Docket: 445102

believe no fee is due for in connections with the filing of this response, however, should any additional fee be deemed necessary in connection with this Response, please charge Deposit Account No. 12-0600.

Respectfully submitted,

LATHROP & GAGE LC

Date: March 17, 2006

By: JR

Jerome R. Smith, Jr., Reg. No. 35,684
2345 Grand Boulevard, Suite 2400
Kansas City, Missouri 64108
Tel: (816) 460-5306
Fax: (816) 292-2001
Attorneys for Applicants

9 of 9

U.S. Patent Application Serial No.: 10/617,934

CC 1574719v1